

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

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STEVEN B. BARGER,

Plaintiff,

v.

Civil Case No. 1:17-cv-04869-FB-LB

FIRST DATA CORPORATION, *et al.*,

Defendants.

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**DEFENDANTS' SECOND AMENDED TRIAL EXHIBIT LIST**

Defendants First Data Corporation, Frank Bisignano, Dan Charron, Anthony Marino, and Rhonda Johnson, by and through their undersigned counsel, respectfully submit the following Second Amended Exhibit List. Defendants reserve the right to supplement and amend this Exhibit List and to submit additional exhibits based on the Court's rulings before or at trial, or otherwise, as appropriate. Defendants reserve the right to use additional documents for purposes of impeachment.

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First Data Corporation, Frank Bisignano, Dan  
Charron, Anthony Marino, and Rhonda Johnson*

Dated: September 5, 2019

## DEFENDANTS' SECOND AMENDED TRIAL EXHIBIT LIST

Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
D-1	ECF No. 1	131-SB	8/8/2017	Complaint				
D-2	ECF No. 19		11/20/2017	Answer				
D-3	ECF No. 31		2/12/2018	Supplemental Complaint				
D-4	ECF No. 40		3/7/2018	Supplemental Answer				
D-5		148-SB	11/26/2017	Plaintiff Rule 26(a) Initial Disclosures				
D-6		149-SB	not dated	Plaintiff Amended Rule 26(a) Disclosures				
D-7		150-SB	not dated	Plaintiff Second Amended Rule 26(a) Disclosures				
D-8		151-SB	7/5/2018	Plaintiff Third Amended Rule 26(a) Disclosures				
D-9			11/26/2017	Defendants Rule 26(a) Initial Disclosures				
D-10			2/8/2018	Defendants Amended Rule 26(a) Initial Disclosures				
D-11			4/3/2018	Plaintiff Answers to FD First Set Rogs				
D-12			4/4/2018	Plaintiff Answers to Charron Rogs				
D-13			5/16/2018	Plaintiff Answers to Charron Rogs-Supplement No. 1				
D-14			4/4/2018	Plaintiff Answers to Marino Rogs				
D-15			4/4/2018	Plaintiff Answers to Whalen Rogs				
D-16			4/4/2018	Plaintiff Answers to Johnson Rogs				
D-17			4/5/2018	Plaintiff Answers to Bisignano Rogs				
D-18			4/3/2018	Plaintiff Answers to FD Rogs				
D-19			8/16/2018	Plaintiff Answers to FD Rogs Supplement 1				

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Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
D-20			5/21/2018	Plaintiff Answers to FD Rogs Supplement 2				
D-21			2/26/2018	FD Answers to Plaintiff's First Set Rogs				
D-22			2/26/2018	Charron Answer to Pltf First Set Rogs.				
D-23			2/25/2018	Morino Answer to Pltf First Set Rogs.				
D-24			2/26/2018	FD Answers to Plaintiff's First Set Rogs				
D-25			6/5/2018	FD Answers to Plaintiff's Second Set Rogs				
D-26			8/3/2018	FD Answers to Plaintiff's Third Set Rogs				
D-27			2/20/2018	Declaration of Jennifer Voycheske				
D-28			8/21/2018	Supplemental Declaration of Jennifer Voycheske				
D-29				Plaintiff's Affidavit in Support of MSJ				
D-30	FDC00000132-33	14-KW		Equal Employment Opportunity Policy				
D-31	FDC00000119-21	28-AM		US Americans with Disabilities Act Policy				
D-32	FDC00000122-24	13-KW; 29-AM		US Family Medical Leave Policy				
D-33	FDC00000125-31	30-AM		US Leave of Absence Policy				
D-34		73-RJ		CEO Action for Diversity and Inclusion webpage				
D-35		1-RO		FD US Employee Handbook (Excerpts)				
D-36	FDC00050184-91	49-MC	5/19/2016	First Data Policy on Restructuring Accounting				

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Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
D-37	FDC00000344-54	DMSJ-4	2/14/2018	Plaintiff Signature Acknowledgments of FD Policies				
D-38	SBB001327-35	138-SB; 225-PM	2010	Form 1040 for 2010				
D-39	SBB001336-44	137-SB; 226-PM	2011	Form 1040 for 2011				
D-40	SBB001345-55	136-SB; 229-PM	2012	Form 1040 for 2012				
D-41	SBB001356-63	134-SB; 230-PM	2013	Form 1040 for 2013				
D-42	SBB001364-73	135-SB; 231-PM	2014	Form 1040 for 2014				
D-43	SBB001585-1621	145-SB; 234-PM	2017	Form 1040 for 2017				
D-44	FDC00052578	129-SB; 247-GB	2014	Form 1099-MISC from FD to Barger Group				
D-45	FDC00000338-39	133-SB	2014	Form W-2 2014 from FD to SB				
D-46	SBB000985	143-SB	2017	Form 1099-MISC from Oasis				
D-47		215-PM	10/12/2010	The Barger Group LLC 2010 Tax Forms				
D-48		227-PM	7/6/2011	2010 Form 1120s for The Barger Group LLC				
D-49		217-PM	7/15/2011	SB 2010 Form 1040 return				
D-50		218-PM	8/11/2012	SB 2011 Form 1040 return				
D-51		228-PM	10/2/2012	2011 Form 1120s for The Barger Group LLC				
D-52		219-PM	4/9/2013	SB 2012 Form 1040 return				
D-53		235-PM	8/26/2014	2012 Form 1120s for The Barger Group LLC				

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Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
D- 54		220-PM	8/26/2014	SB 2013 Form 1040 return				
D- 55		232-PM	8/27/2014	2013 Form 1120s for The Barger Group LLC				
D- 56		222-PM	8/16/2016	SB 2015 Form 1040 return				
D- 57		233-PM	8/25/2015	2014 Form 1120s for The Barger Group LLC				
D- 58		221-PM	8/28/2015	SB 2014 Form 1040 return				
D- 59	SBB002135-40		2018	2018 Tax Documents				
D- 60	FDC00053015-25	127-SB; 243-GB	4/4/2014	Independent Contractor Agreement				
D- 61	FDC00053142-48	Gardemal 2		Executed Independent Contractor Agreement				
D- 62	FDC00052579, 52610-13, 52632, 52614, 52594, 52580	128-SB; 246-GB	2/26/2014	Barger Group Invoices to FD for consulting				
D- 63	GrantBarger0162-63	249-GB	4/24/2014	Purchase Order from FD to Barger Group				
D- 64	SBB000845-46, 000864	130-SB	6/12/2014	FD Offer Letter to SB from Plumeri				
D- 65	FDC00052797-99	132-SB	8/24/2014	RE: Following up on your inquiry	Barger, Steve	Raices, Maxene		
D- 66	FDC00051365		9/2/2014	FW: Thanks	Short, Kathleen	Short, David		
D- 67	FDC00052822-25	154-SB	10/14/2014	RE: Dan and Lamont	Barnes, Katherine	Patel, Gita		
D- 68	FDC00052800-01	155-SB	1/9/2015	FW: Search - SVP Head of Sales Transformation - Resume of [Redacted]	Barger, Steve	Hoefer, Kim		
D- 69	FDC00044639		3/12/2015	Status Report on Executive Search for FDC SVP Head of Sales Transformation				

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Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
D-70	FDC00044830-31	156-SB	3/19/2015	RE: SVP Sales Transformation Search	Barger, Steve	Hoefer, Kim		
D-71	FDC00044912		11/23/2015	GBS Talent Review slides & SVP Profiles - Hack	Whalen, Karen	Johnson, Rhonda		
D-72	FDC00000477-86	61-RJ; Gardemal 3	12/31/2015	Barger Year-End 2015 Evaluation				
D-73	FDC00044940	62-RJ	1/26/2016	re: jeff/dan discussion, jeff's reqs & lab org structure	Whalen, Karen	Johnson, Rhonda		
D-74	FDC00053149-50		1/28/2016	Repricing Page	Johnson, Rhonda	Whalen, Karen		
D-75	FDC00052691-97	147-SB	4/16/2016	Text Messages - SB and Hack				
D-76	FDC00051621-25	174-SB	4/28/2016	Fw: Contract	Barger, Steve	Barger, Steve		
D-77		15-KW; 63-RJ	7/8/2016	Org Strategy - Pam & Steve Barger	Whalen, Karen	Johnson, Rhonda		
D-78	FDC00044599		7/12/2016	RE: Successor resumes	Johnson, Rhonda	Hoefer, Kim		
D-79	FDC00043619	64-RJ	7/14/2016	Confidential	Hack, Jeff	Johnson, Rhonda		
D-80		16-KW	7/18/2016	RE: Confidential: Training	Hack, Jeff; Johnson, Rhonda	Whalen, Karen		
D-81	FDC00044388-89	65-RJ	7/21/2016	RE: Confidential: Training	Johnson, Rhonda	Whalen, Karen		
D-82	FDC00043731-32	51-DC	7/21/2016	RE: Confidential: Training	Hack, Jeff	Charron, Dan		
D-83	FDC00043704	66-RJ	8/3/2016	Sourcing update: Head of Sales Training	Hack, Jeff	Johnson, Rhonda		
D-84	FDC00043719-20	52-DC	8/8/2016	RE: (No Subject)	Marino, Anthony	Hack, Jeff		
D-85	FDC00051319		8/10/2016	FW: followup and emory	Patel, Gita	Patel, Gita		

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Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
D-86	FDC00041349-50	53-DC	8/11/2016	RE: Senior Leader Heads Up: Org Announcement on Changes to SMB and GBS	Mantia, Nick	Barger, Steve		
D-87	FDC00043612	67-RJ	8/12/2016	RE: Barger midyear	Johnson, Rhonda	Hack, Jeff		
D-88	FDC00043945	68-RJ	8/16/2016	Steve - Confidential	Marino, Anthony	Johnson, Rhonda		
D-89	FDC00044171	117-FB	8/26/2016	RE: Steve B.	Marino, Anthony	Bisignano, Frank		
D-90	FDC00043773	24-JK	8/27/2016	RE: story	King, Josh	Marino, Anthony		
D-91	FDC00044027	23-JK	8/27/2016	RE: story	King, Josh	Marino, Anthony		
D-92	FDC00044418	69-RJ	8/31/2016	CONFIDENTIAL - Interview Request	Cartellone; Profeta; DiPietro	Johnson, Rhonda		
D-93		2-RO	9/7/2016	gift for steve	Marino, Anthony	Ording, Robin		
D-94	FDC00044768-69	70-RJ	9/9/2016	RE: Please share with our glorious team	Johnson, Rhonda	Kelly, Julie		
D-95	FDC00043708	71-RJ	9/9/2016	RE: did we hear any news on Barger??	Hack, Jeff	Johnson, Rhonda		
D-96	FDC00044529		9/15/2016	FW: Steve Update	Johnson, Rhonda	Kelly, Julie		
D-97	FDC00043702	72-RJ	9/15/2016	Steve - Update	Hack, Jeff	Johnson, Rhonda		
D-98	FDC00007819		9/23/2016	are yiu tere	Patel, Gita	Barger, Steve		
D-99	FDC00048829		9/23/2016	RE: hi steve	Stamey, Justin; et al	Barger, Steve		
D-100	FDC00044745-46	78-RJ	9/28/2016	FW: "The New Bionic Leadership Series of Training headed your way"	Johnson, Rhonda; et al.	Kelly, Julie		



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D-101	FDC00044501	77-RJ	9/28/2016	Steve Barger	McCarthy, Barry	Johnson, Rhonda		
D-102	FDC00007379-80	76-RJ	9/30/2016	RE: PLEASE READ: Next Steps for GSN Organization	Johnson, Rhonda; Kelly, Julie	Barger, Steve		
D-103	FDC00053151		10/1/2016	FW: Top 150 List Based on MC Feedback	Charron, Dan; Hack, Jeff	Hack, Jeff		
D-104	FDC00007390		10/12/2016	RE: MJJ - MSS Entry Completed	Johnson, Rhonda	Barger, Steve		
D-105	FDC00048892		10/12/2016	RE: Thinking About You!	Guerra, Deborah	Barger, Steve		
D-106	FDC00044696-97	79-RJ	10/12/2016	RE: Urgent Wednesday - communication	Johnson, Rhonda; Kelly, Julia; et al.	Stamey, Justin		
D-107	FDC00044741	80-RJ	10/12/2016	RE: Urgent Wednesday - communication - THIS IS WHAT I WANT TO SEND TO THE TEAM	Britt, James	Johnson, Rhonda		
D-108	FDC00044785-88	81-RJ	10/18/2016	RE: FOR STEVE: FW: Sales Transformation headcount plan	Barger, Steve; Lessen, Paula; Stamey, Justin	Johnson, Rhonda		
D-109	FDC00007484		10/19/2016	RE: Confidential	Johnson, Rhonda	Barger, Steve		
D-110	FDC00044750-51	82-RJ	10/24/2016	RE: Requisitions	Stutz, Ed	Barger, Steve		
D-111	FDC00007354		11/3/2016	RE: Release of HOLD Dates - December 7 & 8	big group	Barger, Steve		
D-112	Emory0056-59	Parish 2	11/4/2016	Final Report from Clinic 11/4/2016				
D-113	FDC00049057		11/8/2016	Appreciate your thoughts	STG group	Barger, Steve		

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Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
D-114	FDC00044665-66	83-RJ	11/8/2016	RE: A quick meeting or email will do	Barger, Steve	Johnson, Rhonda		
D-115	SBB001028-30	160-SB	11/8/2016	Text Messages - SB and Marino				
D-116	FDC00045200		11/15/2016	Leave of Absence Letter	Barger, Steve	HR		
D-117	FDC00043693	84-RJ	11/16/2016	RE: Urgent - Barger	Johnson, Rhonda	Hack, Jeff		
D-118	FDC00045507		11/16/2016	Urgent - Barger overview for Tony	Whalen, Karen	Johnson, Rhonda		
D-119	FDC00052712-16	195-KB	11/17/2016	OA Action Document				
D-120	FDC00052711	194-KB	11/17/2016	RE: OA Action	Marino and HR Team	Benhardt, Kathi		
D-121	FDC00044439	85-RJ	11/17/2016	RE: Barger initial ratings for direct reports	Johnson, Rhonda	Ording, Robin		
D-122	FDC00045525		11/17/2016	RE: Steve Barger - Leave Paperwork	Whalen, Karen	Johnson, Rhonda		
D-123	FDC00045488-96	161-SB	11/18/2016	Leave of Absence Letter	Barger, Steve	Marino, Anthony		
D-124	SBB000081-82	191-AS	11/18/2016	Leave of Absence Letter	Barger, Steve	Marino, Anthony		
D-125	FDC00000386-87	181-AS	11/21/2016	MetLife Authorization Form				
D-126	FDC00000368, 377	163-SB	11/21/2016	OA Responsibilities while on leave				
D-127	FDC00007363	162-SB	11/21/2016	RE: Accepted: On Behalf of Jeff Hack	Barger, Steve	Johnson, Rhonda		
D-128	FDC00051658		11/21/2016	An Announcement	team	Ording, Robin		
D-129	FDC00044812	88-RJ	11/21/2016	FW: E-mail & Good access	HR Solutions	Wyatt, Jean		
D-130	FDC00043617	34-AM	11/21/2016	Steve Barger team communication	Hack; Ording; Marino; Whalen	Johnson, Rhonda		

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Ex. No.		Bates No.	Depo. Exh.	Description				Objection	Response
D-	131	FDC00044446	86-RJ	11/21/2016	re: STD/LTD	Johnson, Rhonda	Pulverenti, Stephanie		
D-	132	FDC00044619-20	38-AM	11/22/2016	E-mail & Good access	HR Solutions; Voycheske	Johnson, Rhonda		
D-	133	FDC00051379	176-AS	11/22/2016	Security Shutdown - Good App and Email ONLY	IT	Voycheske, Jennifer		
D-	134		4-RO	11/22/2016	RE: Mid Year Pay Correction	Johnson, Rhonda	Ording, Robin		
D-	135	FDC00043728		11/22/2016	Steve Bargar bonus	Charron, Dan; Hack, Jeff	Marino, Anthony		
D-	136	FDC00043734	40-AM	11/22/2016	Interim Sales Training Leader	Bisignano, Frank; Charron; Hack	Marino, Anthony		
D-	137		5-RO	11/22/2016	Welcome	Ording, Robin	Walker, Denise		
D-	138	FDC00044655-57	89-RJ	11/23/2016	Steve Barger forms	Voycheske, Jennifer	Johnson, Rhonda		
D-	139	FDC00000378, 49586, 49591-95, 49616, 49632-38	177-AS	11/23/2016	FW: urgent!	Voycheske, Jennifer	Locke, Valeria		
D-	140	FDC00043618	178-AS; 189-AS	11/23/2016	Initial Leave Request: Steve Barger, S09, Jennifer Voycheske	Hack, Jeff	LOAHELP		
D-	141	FDC00044071	41-AM	11/23/2016	RE: Barger Equity	Marino, Anthony	Roding, Scott		
D-	142	FDC00047791	196-KB	11/30/2016	RE: January 2016 - Impact Analysis 1-8-16	Benhardt, Kathi	Friedman, Deborah		
D-	143	FDC00052966	197-KB	11/30/2016	Update on Impact List	Benhardt, Kathi	Friedman, Deborah		
D-	144	FDC00052276-78		11/30/2016	RE: Updated RIF Impact Summary	Friedman, Deborah	Benhardt, Kathi		

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Ex. No.		Bates No.	Depo. Exh.	Description				Objection	Response
D-	145		6-RO	11/30/2016	RE: Steve Barger	Diaz, Laura; cc: Ording, Robin	Allen, Mary		
D-	146	FDC00046849		11/30/2016	Interview [Redacted] - SVP Head Sales Training and Transformation	Foskett, Christopher , et al	Coffey, Deborah		
D-	147	FDC00052753	198-KB	12/1/2016	FW: OA RIF Impact Summary - 11.30.16	Fitton-Gordon, Fujiko	Marino, Anthony		
D-	148	FDC00044732	91-RJ	12/5/2016	Form to complete & Q/A response	Barger, Steve	Johnson, Rhonda		
D-	149	FDC00044832	42-AM	12/5/2016	FW: Leave of Absence Request Forms: Steve Barger, S09, Jennifer Voycheske	Barger, Steve	Patel, Gita		
D-	150	SBB000832-35	166-SB	12/5/2016	Re: Form to complete & Q/A response	Johnson, Rhonda	Barger, Steve		
D-	151	SBB000829-30	165-SB	12/5/2016	Re: Leave of Absence Request Forms: Steve Barger, S09, Jennifer Voycheske	Johnson, Rhonda	Barger, Steve		
D-	152	FDC00044383-84	118-FB	12/5/2016	PLEASE READ ASAP	HR Team	Whalen, Karen		
D-	153		7-RO	12/7/2016	RE: Good email for Sales Transformation team	Lessen, Paula	CloverSupport		
D-	154	FDC00000365-66	164-SB; Baddour 1	12/14/2016	Certification of Health Care Provider				
D-	155	FDC00051707-08		12/14/2016	FW: Steve Barget - Update?	Partem, Iryna	Castro, Geoff		
D-	156	FDC00044681-83	93-RJ	12/15/2016	FW: Forms Received: Barger, Steve-247809-S09-GA-Scott Owen	Johnson, Rhonda	Voycheske, Jennifer		
D-	157	SBB000085	168-SB; 31-AM	12/15/2016	FMLA Approval Form - 12/15	Barger, Steve	FD LOA		

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Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
D-158	FDC00043710	179-AS	12/15/2016	Leave Approval - Continuous, Steve Barger, S09, Jennifer Voycheske	Hack, Jeff	LOAHELP		
D-159	FDC00000414	94-RJ	12/15/2016	RE: Forms Received: Barger, Steve-247809-S09-GA-Scott Owen	Voycheske, Jennifer	Johnson, Rhonda		
D-160	FDC00049123	97-RJ	12/16/2016	RE: Steve Barger - LOA	Johnson, Rhonda	Voycheske, Jennifer		
D-161	FDC00049124	180-AS	12/16/2016	Re: Steve Barger LOA	HR Services Center	Johnson, Rhonda		
D-162	FDC00046194		12/16/2016	FW: Pay roll	Barger, Steve	Johnson, Rhonda		
D-163	FDC00007452-53	95-RJ	12/16/2016	Re: Action for Short Term Leave	Johnson, Rhonda	Barger, Steve		
D-164	FDC00053152-55		12/16/2016	RE: Updated Comp on RIF List	Friedman, Deborah	Benhardt, Kathi		
D-165	FDC00052761-63	199-KB	12/17/2016	FW: *** Headcount Report for the Week of Dec 14 ***	Benhardt, Kathi; Whalen, Karen; et a.	Marino, Anthony		
D-166	FDC00044931	99-RJ	12/19/2016	RE: Leave Approval - Continuous, Steve Barger, S09, Jennifer Voycheske	Voycheske, Jennifer	Luebbe, Melinda		
D-167	FDC00044686-87	98-RJ	12/19/2016	RE: Steve Barger - LOA & STD	Voycheske, Jennifer	Johnson, Rhonda		
D-168	FDC00044584	101-RJ	12/20/2016	RE: hear Steve Barger was in the office again today	Johnson, Rhonda	Ording, Robin		
D-169	FDC00049156	96-RJ	12/20/2016	FW: Steve Barger - LOA	Barger, Steve	Patel, Gita		
D-170	FDC00044521	100-RJ	12/20/2016	RE: Today	Johnson, Rhonda	Voycheske, Jennifer		

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Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
D-171		3-RO	12/21/2016	FW: Just heard Steve is coming in around noon today. Need to have call prior?	Marino, Anthony	Ording, Robin		
D-172	FDC00000389	187-AS	12/21/2016	RE: Steve Barger	Steffen, Amy	Voycheske, Jennifer		
D-173	FDC00047582	50-MC; 200-KB	12/21/2016	RE: exists	Pacheco, Fernanda	Benhardt, Kathi		
D-174		8-RO	12/22/2016	RE: Comp Meeting	Whalen, Karen; Marino, Anthony	Ording, Robin		
D-175	FDC00043698		12/22/2016	To discuss	Marino, Anthony	Hack, Jeff		
D-176		19-KW	12/27/2016	RE: SVP [Redacted]	Soggs, Cheryl	Thome-Piedra, Michele		
D-177	FDC00043696-97	43-AM	12/28/2016	RE: Training	Marino, Anthony	Hack, Jeff		
D-178	FDC00052767-68	202-KB	12/30/2016	Re: IC Planning and RIF's	Whalen, Karen	Marino, Anthony		
D-179	FDC00052764	201-KB	12/30/2016	Re: IC Planning and RIF's	Bergquist, Janelle	Marino, Anthony		
D-180	SBB000323		12/31/2016	SB Compensation Summary				
D-181	FDC00051565-93	159-SB	1/1/2017	Sales Transformation review - Internal Consulting MC Executive Summary				
D-182	FDC00044994-5032	158-SB	1/1/2017	Sales Transformation Review Fact Pack for Whalen, Ording, Hadler				
D-183	FDC00047744		1/3/2017	RE: can you send me the list of the 141 names	Benhardt, Kathi	Friedman, Deborah		

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Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
D-184		9-RO	1/4/2017	[no subject]	Johnson, Rhonda; Whalen, Karen	Ording, Robin		
D-185	FDC00044200	102-RJ	1/4/2017	[no subject]	Johnson, Rhonda; Whalen, Karen	Ording, Robin		
D-186	FDC00044454	106-RJ	1/5/2017	RE: Leave Extension Request - Steve Barger	Johnson, Rhonda	Voycheske, Jennifer		
D-187	FDC00045530		1/5/2017	Steve Barger returning 01/17	Whalen, Karen	Johnson, Rhonda		
D-188	FDC00000369	170-SB	1/5/2017	FMLA Approval Form - 1/5	Barger, Steve	FD LOA		
D-189	FDC00052294-97		1/5/2017	Great News.	group; CC Voycheske	Parks, Lori		
D-190	FDC00044804	105-RJ	1/5/2017	Leave Approval - Continuous, Steve Barger, S09, Jennifer Voycheske	Johnson, Rhonda	LOAHELO P		
D-191	FDC00052308-12		1/5/2017	MetLife Database Screenshot				
D-192	FDC00045286		1/5/2017	Not Eligible for FMLA: Steve Barger, S09, Jennifer Voycheske	Voycheske, Jennifer	LOAHELP		
D-193	SBB000855-58	169-SB	1/5/2017	Re: Leave of Absence Pay Breakdown	Voycheske, Jennifer	Barger, Steve		
D-194	FDC00051392		1/5/2017	RE: Steve Barger #247809	Luebbe, Melinda	Voycheske, Jennifer		
D-195	FDC00000400	104-RJ	1/5/2017	RE: Steve Barger #247809	Voycheske, Jennifer	Johnson, Rhonda		
D-196	FDC00044036	44-AM	1/5/2017	RE: RES: 10% Reduction	Marino, Anthony	Bergquist, Janelle		
D-197	FDC00047255		1/5/2017	RE: CONFIDENTIAL: Sales Transformation Resource Allocation 2016	Johnson, Rhonda	Ording, Robin		

## DEFENDANTS' SECOND AMENDED TRIAL EXHIBIT LIST

Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
D-198	FDC00045261		1/5/2017	Time Off Request Leave of Absence: Steve Barger, S09, Jennifer Voycheske	Voycheske, Jennifer	LOA HELP		
D-199	FDC00044674	107-RJ	1/6/2017	RE: Leave Extension Request	Johnson, Rhonda	Voycheske, Jennifer		
D-200	FDC00044518	108-RJ	1/6/2017	RE: Steve Barger	Voycheske, Jennifer	Johnson, Rhonda		
D-201	MetLife0021	171-SB	1/6/2017	MetLife STD Claim Approval	Barger, Steve	MetLife		
D-202	FDC00052972-73	203-KB	1/6/2017	Re: 10% Reduction	Benhardt, Kathi	Von Bulow, Janice		
D-203	FDC00044095-96	37-AM	1/6/2017	RE: Discuss 10%	HR Group	Marino, Anthony		
D-204	FDC00044611-12	110-RJ	1/7/2017	RE: Steve	Ording, Robin	Johnson, Rhonda		
D-205		10-RO	1/7/2017	RE: Steve	Steffen, Amy; Ording, Robin	Marino, Anthony		
D-206	FDC00044028-29	39-AM	1/7/2017	RE: Open Positions	Marino, Anthony	Benhardt, Kathi		
D-207	FDC00047253		1/7/2017	FW: Draft list - Sat 4pm	Johnson, Rhonda	Hack, Jeff		
D-208	FDC00043749-50	35-AM	1/7/2017	RE: Barger Analysis	Bisignano, Frank	Marino, Anthony		
D-209	FDC00000373-74	111-RJ; 184-AS	1/8/2017	FW: Steve B.	Voycheske, Jennifer	Steffen, Amy		
D-210	FDC00044375-76	188-AS	1/9/2017	RE: Steve B.	Johnson, Rhonda; Whalen, Karen; Pulverenti, Stephanie	Steffen, Amy		
D-211	FDC00047752	205-KB	1/9/2017	lists and names	Friedman, Deborah	Benhardt, Kathi		



## DEFENDANTS' SECOND AMENDED TRIAL EXHIBIT LIST

Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
D-212	FDC00047523	206-KB	1/9/2017	Re: Impact (Comp/Severance Planning)	Friedman, Deborah; Steffen, Amy; Bergquist, Janelle	Benhardt, Kathi		
D-213	FDC00044381-82	55-DC	1/9/2017	REVISED Top 3000 Charron	Benhardt, Kathi	Whalen, Karen		
D-214	FDC00043730	146-SB	1/9/2017	Hack List Monday 9:30am - Nearly Final	Hack, Jeff	Charron, Dan; Whalen, Karen		
D-215		21-KW	1/9/2017	RE: FDCSecureMail REVISED Top 3000 Charron	Benhardt, Kathi	Whalen, Karen		
D-216	FDC00000558-59	54-DC	1/9/2017	RE: FDCSecureMail REVISED Top 3000 Charron	Whalen, Karen	Charron, Dan		
D-217	FDC00045278		1/9/2017	RE: Offer ws	Thorne-Piedra	Soggs, Cheryl		
D-218	FDC00044032	45-AM	1/10/2017	RE: Steve Barger - 01/17 release to return to work	Johnson; Whalen	Marino, Anthony		
D-219	FDC00044654 (+1)	183-AS	1/10/2017	RE: Steve Barger - release to return to work	Voycheske, Jennifer	Johnson, Rhonda		
D-220	Emory0093	Baddour3	1/10/2017	Return to Work Authorization				
D-221	FDC00047583-85	204-KB	1/10/2017	Re: Discuss 10%	Benhardt, Kathi	Ho, Karen		
D-222	FDC00045638		1/10/2017	RE: Confidential: Updated: Sales Trans Deck	Whalen; Marino	Ording, Robin		
D-223	FDC00052775-76	207-KB	1/11/2017	FW: Steve Barger	Whalen, Karen	Benhardt, Kathi		
D-224	FDC00047514-21	56-DC	1/11/2017	OA Impact Analysis				
D-225	FDC00051862		1/11/2017	RE: David Short - Partner Training	Brinker, Dailey	Hadler, Patricia		

## DEFENDANTS' SECOND AMENDED TRIAL EXHIBIT LIST

Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
<del>D- 226</del>								<del>withdrawn</del>
D- 227	FDC00044826	113-RJ	1/13/2017	FW: Immediate Termination of Steve Barger	Johnson, Rhonda	Wyatt, Jean		
D- 228	FDC00046463		1/13/2017	Steve	Whalen, Karen	Johnson, Rhonda		
D- 229	FDC00051010		1/13/2017	Termination Modeling Results				
D- 230	FDC00051394	193-AS	1/16/2017	Leave of Absence Request Forms: Steve Barger, S09, Jennifer Voycheske	Voycheske, Jennifer	LOAHELP		
D- 231	FDC00051008		1/16/2017	FW: Barger Follow-Up	Barger, Steve	Marino, Anthony		
D- 232	FDC00052298		1/17/2017	Barger	Voycheske, Jennifer	Johnson, Rhonda		
D- 233	FDC00045508		1/17/2017	Barger Follow-Up	Whalen, Karen	Johnson, Rhonda		
D- 234	FDC00049543	114-RJ	1/17/2017	RE:	Johnson, Rhonda	Barger, Steve		
D- 235	FDC00051634		1/17/2017	RE: Barger - confidential	Johnson, Rhonda	Benhardt, Kathi		
D- 236	FDC00048087		1/17/2017	FW: Sales Transformation Headcount Trend	Friedman, Deborah	Whalen, Karen		
D- 237	FDC00049736		1/18/2017	RE: Howdy	Barger, Steve	Schmid, Rick		
D- 238	FDC00042717		1/18/2017	RE: Head Sales Training and Transformation	Soggs, Cheryl	Whalen, Karen		
D- 239	FDC00047533-41	153-SB	1/19/2017	OA Impact Analysis				
D- 240	FDC00047748	58-DC	1/23/2017	RE: overview	Friedman, Deborah	Benhardt, Kathi		
D- 241	FDC00049743	115-RJ	1/25/2017	RE: Steve Barger life insurance conversion	Johnson, Rhonda	Pulverenti, Stephanie		
D- 242	FDC00047743	211-KB	1/26/2017	RE: Informational Only	Benhardt, Kathi	Brit, James		

## DEFENDANTS' SECOND AMENDED TRIAL EXHIBIT LIST

Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
D-243	FDC00047510		1/26/2017	RE: UPDATE - Sales Training	Whalen, Karen; Marino, Anthony; Charron, Dan	Race, Kevin		
D-244	FDC00051382	186-AS	1/27/2017	Steve Barger	Voycheske, Jennifer	Steffen, Amy		
D-245	FDC00049741-42	192-AS	1/27/2017	RE: STD Payment	Steffen, Amy	Voycheske, Jennifer		
D-246	FDC00049936	185-AS	1/27/2017	FWD: Std. Stop Payment	Voycheske, Jennifer	Pulverenti, Stephanie		
D-247	FDC00047600-01	209-KB	1/28/2017	Re: Updated OA Impact Analysis - \$44.75M in Annual Base Savings	Benhardt, Kathi	Friedman, Deborah		
D-248	SBB000964	141-SB	2/6/2017	MetLife LTD Check #1				
D-249	SBB000978	142-SB	2/6/2017	MetLife LTD Check Copies #1 and #2				
D-250	FDC00047566		2/9/2017	OA Impact Analysis				
D-251	FDC00053013		2/16/2017	Mullin - Outplacement Results	Marino, Anthony; Ording, Robin	Benhardt, Kathi		
D-252	FDC00052344		2/21/2017	sales training position elimination RO records	Gunter, Andrew	Ording, Robin		
D-253	FDC00000396-97		3/24/2017	RE: Return To Work Inquiry: Steve Barger, emp ID: 247809, clm num: 711701191341	Lambert, Deanna	Voycheske, Jennifer		
D-254	FDC00048217		11/17/2016	RIF List Created 11/17/2016				
D-255	FDC00048219		11/17/2016	RIF List Created 11/17/2016				
D-256	FDC00048231		12/22/2016	RIF List Created 12/22/2016				

## DEFENDANTS' SECOND AMENDED TRIAL EXHIBIT LIST

Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
D-257	FDC00048222		1/19/2017	RIF List Created 1/19/2017				
D-258		223-PM	4/2/2017	SB 2016 Form 1040 return				
D-259		47-MC	12/31/2017	Form 10-K				
D-260	SBB00000343	144-SB	12/31/2017	Form W-2 2017 from FD to SB				
D-261	MetLife0034		3/9/2018	MetLife LTD Payment History				
D-262	SBB001325-26	124-FB	5/18/2018	Fw: Due diligence research on First Data management	Shearer, Shawn	Barger, Steve		
D-263		216-PM	9/31/2010	The Barger Group LLC State of Alabama Articles of Organization				
D-264	MetLife0001-07, 197-216	190-AS		Health and Life Benefits Summary Plan Description First Data Corp. January 2016				
D-265	MetLife0008-20	Baddour 4		Claim Activity Review/Summary				
D-266	MetLife0035-40	Baddour 5		Claim Activity Review/Summary				
D-267	MetLife0178-83	140-SB	2/3/2017	MetLife LTD Claim Approval				
D-268	FDC00000013-80			Pay Stubs from 7/15/2014 - 2/28/2017				
D-269	FDC00000440-41	Gardemal 4		Assessment				
D-270	FDC00049568-78	120-FB		First Data Corporation, Severance Plan for U.S. Employees				
D-271	FDC00048232	59A-DC		RIF List (redacted)				
D-272	FDC00048232	59B-DC		RIF List (redacted)				
D-273	FDC00048216 native	212-KB		Spreadsheets (redacted)				

## DEFENDANTS' SECOND AMENDED TRIAL EXHIBIT LIST

Ex. No.	Bates No.	Depo. Exh.	Description	Objection	Response
D- 274	FDC00048222 native	213-KB	Spreadsheets		
D- 275	FDC00052345-57		RIF List of STG (redacted)		
D- 276	GrantBarger0001	248-GB	Lebenthal Purpose		
D- 277	FDC00010915	48-MC	New Hire Master Oreintation Schedule		
D- 278		224-PM	2017 tax return extenstion request		
D- 279	FDC00053143	245-GB	Barger Group LLC W-9		
<del>D- 280</del>					<del>withdrawn</del>
D- 281		240-PM	Documents from PM Subpoena		
D- 282	FDC00047817	123-FB	Photo of Handwritten Notes		
	283		2016 Picture of Barger, Marino, and Plumeri golfing		
D- 284	FDC00044797		RE: Leave Extension Request - Steve Barger		
D- 285	FDC00053156-59		2014 Barger NewHire COE 2014		
D- 286	FDC00053160-63		2015 Barger AE2015 COE		
D- 287	FDC00053164-67		2016 Barger AE2016 COE		
D- 288	FDC00053168-71		2017 Barger AE2017 COE		
D- 289			5/31/2018 Dep. of Robin Ording		
D- 290			5/31/2018 Dep. of Karen Whalen		
D- 291			5/31/2018 Dep. of Josh King		
D- 292			6/1/2018 Dep. of Anthony Marino		
D- 293			6/25/2018 Dep. of Ashley Parrish		
D- 294			6/25/2018 Dep. of Michael Baddour		
D- 295			6/26/2018 Dep of Dan Charron		
D- 296			6/26/2018 Dep. of Matthew Cagwin		
D- 297			6/27/2018 Dep. of Rhonda Johnson		
D- 298			6/29/2018 Dep. of Frank Bisignano		
D- 299			8/10/2018 Dep. of Steve Barger		

## DEFENDANTS' SECOND AMENDED TRIAL EXHIBIT LIST

Ex. No.	Bates No.	Depo. Exh.	Description				Objection	Response
D-300			8/21/2018	Dep. of Amy Steffen				
D-301			8/22/2018	Dep. of Kathi Benhardt				
D-302			10/15/2018	Dep. of Julie Kelly				
D-303			10/30/2018	Dep. of Joe Gardemal				
D-304			10/30/2018	Dep. of Steven Shapiro				
D-305			1/4/2019	Dep. of Grant Barger				
D-306			1/4/2019	Dep. of Philip Morgan				
D-307	FDC00053172			Welcome to FD Way Agenda				
D-308	FDC00053173-76			Variable Incentive Compensation Plan				
D-309	FDC00050165-72			Text Messages Between S. Barger and J. Plumeri				
D-310				Rule 1006: Summary of Text Messages Between S. Barger and J. Plumeri				